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January 16, 2025

**VIA ECF**

Hon. Cheryl L. Pollak  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, Room 1230  
Brooklyn, NY 11201

**Re: *American Transit Insurance Co. v. Pierre et al.*, 1:24-cv-00360-RPK-CLP –  
Motion to Strike Defaulted Defendant Bradley Pierre’s Unauthorized Sur-  
Reply On Motion to Compel MRC’s Compliance With Subpoena**

Dear Magistrate Judge Pollak:

We are counsel to American Transit Insurance Company (“ATIC”), the Plaintiff in the above-captioned matter. We submit this letter in support of ATIC’s application to strike the January 14, 2025, unauthorized sur-reply (ECF No. 139, the “Sur-Reply”) filed by defaulted Defendant Bradley Pierre in further opposition to ATIC’s letter motion (ECF No. 135) to compel Medical Reimbursement Consultants, Inc.’s (“MRC”) compliance with the subpoena ATIC served on it. The Court should strike the Sur-Reply because (1) Pierre failed to obtain “prior permission” to file it as required by the Court’s Motion Procedures and Rules, and (2) the substance is just a rehash of Pierre’s initial opposition (ECF No. 136) and several other filings in this case (ECF Nos. 73-3, 83, 95, 127) that contain the same false assertions about MRC’s and Pierre’s lack of culpability, disproved by Pierre’s allocution in the *United States v. Bradley Pierre*, Case No. 22-cr-19 (S.D.N.Y.) (copy at ECF No. 123-2), his own criminal defense counsel (ECF No. 131-1 at 10:8-10), the District Court’s findings during the sentencing hearing (*id.* at 23:6-11), and Pierre’s 10-year sentence for Travel Act bribery and conspiracy to defraud the IRS, which place them both at the center of the fraudulent scheme at issue in this case (*id.* at 3:14-17).

If the Court nonetheless determines to consider Pierre’s Sur-Reply, ATIC respectfully requests leave to provide a short response to the substance of that unauthorized filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. W. Perkins", written over a horizontal line.

James W. Perkins

cc: All Counsel of Record (via ECF)